

two areas of amendments are very simply the same kind of arguments that I would use to oppose the bill in general and that is that what Senator Higgins is suggesting that we spell out in this bill of rights are a disclosure of rights that no place or very few places else in private enterprise or in the free market system do we require of people to do. For example, the idea of telling by written comment that you have no legal responsibility to maintain confidentiality is something that we just don't have anybody else do that I'm aware of. Maybe there are a few, maybe an attorney, for example, or a doctor may have some confidentiality provisions. I believe that they even do not have to submit a list to their client or prospective client or consumer or just anybody on the street that may call them some day, that if you ever call me, I have to tell you that I am going to have to remain confidential and keep all of your thoughts and utterances confidential. It is not wrong for a buyer or seller of real estate to talk with a real estate agent or broker or developer or an individual of any kind, it is not wrong to discuss any of these things that are in a bill of rights that Senator Higgins is trying to bring forth. What is wrong, in my estimation, is to mandate this so selectively to one industry where there is no need, there has been no evidence of need especially in this industry over other industries or other kinds of free enterprise system and I just fail to understand the necessity of having to place this on this particular group of individuals, as a matter of fact, on the State of Nebraska because we are basically talking about every owner or potential owner of a home in the State of Nebraska. The other part of the provision, I believe, deals with the fact that the commission, the real real estate agent is negotiating with the buyer or the seller is a negotiable factor and I think that what Senator Higgins is referring to is that it's common practice that the commission rates for real estate will be around 6 or 7 percent, but that, of course, is not a binding thing and that is not a statutory thing and, of course, it is negotiable. But to say that you have to tell the person that it is negotiable is kind of like a new car salesman saying, well, I'm going to make \$100 on the sale of this thing, but if you can beat down my price, I may have to only make \$95 and I have to give you a piece of paper to say that you have that right. And there is nothing wrong with talking about those things, but to mandate these two items and to mandate the other items in the bill of rights, I think is something that is untenable and I will oppose